

REMARKS

The Office Action mailed December 2, 2004 and the references cited by the Examiner have been carefully reviewed by Applicants. Claims 1-23 and 29-41 have been withdrawn, claims 24-28 are currently pending, and Applicants have amended claims 25-28. Applicants have also provided replacements sheets for Figures 1 - 8. Applicants submit that the amendments to the claims and replacement figures are proper and do not add new matter. Applicants submit that this case, for the reasons discussed below, is in condition for allowance and Applicants earnestly seek such allowance.

Election/Restrictions

Claims 1-23 and 29-41 have been withdrawn from consideration based on an election and restriction requirement by the Examiner. Applicants acknowledge the election made on November 19, 2004 to prosecute the invention of claims 24-28.

Drawings

In the Office Action mailed December 2, 2004, the Examiner objected to the drawings. Included with this response are replacement drawings for Figures 1-8 as required by the Examiner.

Claim Objections

In the Office Action mailed December 2, 2004, the Examiner objected to claims 25, 27, and 28 for informalities. With regard to claim 25 the Examiner stated that the "barrier" which "inhibits contact" is unclear with regard to which components are being referred to. The "barrier" is actually an element in claim 26. Applicants have amended claim 26 to clarify that the "barrier" extends from the body to inhibit electrical communication between the plurality of contacts and relays other than the relay under test. Applicants also amended claim 25 for reasons of clarity

only.

In objecting to claim 27, the Examiner stated that "comprising a plurality wherein" was unclear as to what components were claimed. Applicants have amended claim 27 to clarify that the test device further includes a plurality of binding posts.

In objecting to claim 28, the Examiner stated that it is unclear if the "inner chamber and the cover claimed refer to the test paddle or the binding post." Applicants have amended claim 28 to clarify that the "inner chamber of the cover of the binding post extends through the cover of the binding post from a first end to a second end of the cover of the binding post.

Applicants appreciate the Examiner pointing out these informalities. Applicants respectfully submit that the amendments to the claims do not and are not intended to restrict or limit the claims in any manner or restrict the scope of equivalents to which claims 25-28 would be allowed. The amendments to claims 25-28 are only intended to clarify the claims and comply with informalities. Applicants respectfully submit that the amendments to claims 25-28 overcome the Examiner's objection of these claims.

Rejection under 35 USC Section 103

In the Office Action mailed December 2, 2004, the Examiner rejected claims 24-26 and 28 under 35 U.S.C. Section 103 as being unpatentable over Tang (U.S. Patent No. 6,025,760) in view of Nugent (U.S. Patent No. 5,713,765). The device as claimed in claim 24 is directed to a test paddle and binding post for connection to test relays. As mentioned in Applicants' specification, the test paddle has contacts for connection to relays. Equipment used to test the relays is connected to the test paddle, via studs on the test paddle. The studs on the test paddle are electrically coupled to the contacts on the test paddle. The binding posts connect to the studs to promote connection by various methods of the test equipment to the studs on test paddle.

The Tang reference cited by the Examiner is directed to a tool for shunting RF signals and AC power between input and output ports of a multi-tap for a cable television system. In rejecting claim 24, the Examiner analogizes Applicants' studs to the bolts 94 of the Tang reference and also analogizes Applicants' contacts to the prongs 60 and 68 of the Tang reference. Applicants respectfully submit that the bolts 94 are only provided to bolt together the two halves 36A and 36B of the shunt tool of Tang. (Tang col. 5, lines 55-58) Applicants' contacts, as claimed in claim 24, are electrically coupled to the studs. The Tang reference prongs 60 and/or 68 are not electrically coupled to the bolts 94. Also, there is no teaching or suggestion to electrically couple the prongs 60 and 68 to the bolts 94, since the only purpose of the bolts 94 is to connect the two halves 36A and 36B of the shunt tool. Since the Tang or other references cited by the Examiner, either alone or in combination, fail to teach, disclose, or even suggest the aspects claimed in Applicants' claim 24, including that the contacts are electrically coupled to the studs, Applicants respectfully request the Examiner to withdraw the rejection of claim 24 and pass same to issue.

In support of the obviousness rejection, the Examiner points to Nugent as disclosing Applicants' binding post. The Nugent reference is directed to an audio connector comprised of two assemblies: a male plug A that connects to the loud speaker cable, and mating female receptacle B that mounts to the speaker or power amp chassis. (Nugent col. 4, lines 25-28) Plug B of Nugent has a threaded shaft 27 that is received into a device, such as a power amp. Plug A only connects to plug B to complete the connection between device and the cable, and plug A does not connect, physically or otherwise, to the devices, except via plug B. Applicants respectfully submit that the binding post portion of Applicants' invention is considerably different than the disclosure in Nugent.

Applicants' binding post insert has a shaft that is configured to couple with the stud on the test paddle. The Examiner analogizes Applicants' binding post insert to the Nugent plug A. The Examiner suggests that plug A has a shaft 14 and couples to the stud via shaft 23. However, shaft 23 is not on plug A of Nugent, but on plug B of Nugent. As mentioned above, plug A does not connect to the device, but only to plug B. Therefore plug A is not analogous to Applicants' binding post insert, since Applicants' binding post insert is configured to couple with a stud on the test paddle. Further, Plug B includes a threaded post 27 (or stud) for panel mounting. (Nugent col. 4, lines 60-61) Since plug B is a stud, it could not couple with a stud. Therefore plug B is not analogous to Applicants' binding post insert.

Further, there is no teaching, suggestion, or motivation in the cited references to combine the shunt tool of Tang with the audio connector of Nugent. Such a combination would result in the audio connector of Nugent being used to connect together the two halves 36A and 36B of the shunt tool, which does not produce a test device as claimed in Applicants' claim 24. Applicants respectfully submit that the references cited by the Examiner, either alone or in combination, fail to teach, suggest, or disclose Applicants' invention as claimed. For these reasons, Applicants request the Examiner to withdraw the rejection of claim 24 under 35 U.S.C. Section 103 and pass claim 24 to issue.

With regard to the Examiner's reasons for rejection of claim 25, Applicants respectfully submit, as mentioned above and incorporated herein by reference, that Applicants' studs are not analogous to the bolts 94 of Tang and that Applicants' contacts are not analogous to the prongs 60 and 68 of Tang. As mentioned above, Applicants' contacts, as claimed in claim 24, are electrically coupled to the studs on Applicants' test paddle. The Tang reference prongs 60 and/or 68 are not electrically coupled to the bolts 94.

In the Office Action Mailed December 2, 2004, the Examiner rejected claim 26 on the basis that Tang elements 58 and 62 disclosed Applicants' barrier. Applicants have amended claim 26, which includes the barrier element, to include a barrier that extends from the body to inhibit electrical communication between the plurality of contacts and relays other than the relay under test. Applicants respectfully submit that the members 58 and 62 are not barriers operable as claimed in Applicants' claim 26. The members 58 and 62 are merely body members made of insulating materials. (Tang col. 5, line 2). Applicants respectfully submit that members 58 and 62 fail to teach, disclose, or suggest Applicants' barrier as claimed in amended claim 26.

In the Office Action Mailed December 2, 2004, the Examiner rejected claim 27 further in view of Blauvelt (U.S. Patent No. 6,685,483). For the reasons mentioned above and incorporated herein by reference, Applicants submit that the cited references fail to teach, disclose, or suggest Applicants' invention, as claimed in independent claim 24. Dependent claim 27 provides additional novel features includes a plurality of binding posts. Applicants submit that the combination of Blauvelt fails to provide the disclosure, teachings, or suggestion to overcome the deficiencies in the Tang and Nugent references to make out a prima facie case of obviousness with regard to independent claim 24 and dependent claim 27.

With regard to the Examiner's reasons for rejection of claim 28, Applicants respectfully submit, as mentioned above and incorporated herein by reference, that Applicants' test paddle includes studs and Applicants' binding post inserts connect to the studs on the test paddle. The 5-way binding post disclosed in Figure 3 of Nugent includes a stud which could not connect to Applicants' test paddle which already has a stud extending from it. Applicants respectfully submit that the 5-way binding post fails to teach disclose or suggest Applicant's binding post. For all these and the reasons mentioned above, Applicants respectfully submit that the references

cited by the Examiner, either alone or in combination, fail to provide the disclosure, teaching, or suggestion for an obviousness rejection of claims 24-28. Therefore Applicants respectfully request the Examiner to withdraw the rejection of claims 24-28 for reasons of obviousness and pass claims 24-28 to issue.

CONCLUSION

Applicants respectfully submit that the application in its present form is in condition for allowance. If the Examiner has any questions or comments or otherwise feels it would be helpful in expediting the application, Examiner is encouraged to telephone the undersigned at (972) 731-2288. Applicants intend this communication to be a complete response to the Office Action mailed on December 2, 2004.

The Commissioner is hereby authorized to charge payment of any further fees associated with any of the foregoing papers submitted herewith, or to credit any overpayment thereof, to Deposit Account No. 50-1515, Conley Rose, P.C.

Respectfully submitted,

Date: March 2, 2005

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